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16 *Attorney for Maria Mandujano Sanchez*

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 vs.

22 MARIA MANDUJANO SANCHEZ,

23 Defendant.

24 CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

25 **STIPULATION AND PROPOSED ORDER
26 TO CONTINUE SENTENCING FOR
27 CONSOLIDATED CASES**

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29 Maria Mandujano Sanchez, by and through counsel of record Michael Anthony
30 Hernandez and Jacqueline Tirinnanzi, and the United States of America, by and through
31 Assistant United States Attorney Allison Reese, hereby stipulate and request that the Court
32 vacate Ms. Mandujano Sanchez's sentencing hearing currently set for February 14, 2023, at
33 10:00 a.m. and continue it to a later date convenient to the Court, but no sooner than forty five
34 (45) days. This stipulation is made and based upon the following:
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- 1 1. The parties agree to the continuance.
- 2 2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation
- 3 of a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No.
- 4 15. Sentencing in this case is currently scheduled for February 14, 2023 at 10 a.m.
- 5 3. On June 27, 2022, as the result of an unopposed motion (ECF 21), this Court issued an
- 6 order granting the consolidation of the matter in Case No. 2:21-cr-00226-JCM-NJK into
- 7 the instant case. Case No. 2:21-00226-JCM-NJK; ECF No. 68 and Case No. 2:21-cr-
- 8 00328-GMN-DJA-1; ECF No. 22
- 9 4. On December 6, 2022 Ms. Mandujano Sanchez pleaded guilty to one count of Conspiracy
- 10 to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1),
- 11 841(b)(1)(A)(viii), and 846 in Case No. 2:21-cr-00226-GMN-NJK. ECF. 89. Sentencing
- 12 is also scheduled for February 14, 2023 at 10 a.m. *Id.*
- 13 5. Defense counsel's ability to effectively and thoroughly explore all factors relevant to
- 14 Ms. Mandujano Sanchez's mitigation and sentencing presentation requires additional
- 15 time to prepare. Counsel are utilizing expert services in preparation for sentencing and
- 16 said expert requires additional time due to competing schedule obligations, which were
- 17 exacerbated due to health issues that set them behind schedule in December 2022.
- 18 6. Additionally, Mr. Hernandez, who is representing Ms. Mandujano pro hac vice on the
- 19 importation portion of the case, has scheduling conflicts on the current date and anticipates
- 20 he will be going to trial the first half of March 2023. He also resides out of state and travel
- 21 to Las Vegas is challenging for him with the current sentencing date.
- 22 7. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim.
- 23 P. 32(b)(2), which states that, "the court may, for good cause, change any time limits
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prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

8. This is the third request for a continuance of the sentencing in Case No. 2:21-cr-00328-GMN-DJA and the first request for a continuance of sentencing in case No. 2:21-cr-00226-GMN-JCA. The additional time requested herein is not sought for purposes of delay. No further continuances are anticipated.
9. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez sufficient time to effectively and thoroughly prepare for sentencing, taking into account due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.
10. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuances.

Dated February 3, 2023.

/s/ Allison Reese
ALLISON REESE, ESQ.
Assistant U.S. Attorney

/s/ Michael Anthony Hernandez
MICHAEL ANTHONY HERNANDEZ, ESQ.
Counsel for Maria Mandujano Sanchez

/s/ Jacqueline Tirinnanzi
JACQUELINE TIRINNANZI, ESQ.
Counsel for Maria Mandujano Sanchez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ,

Defendant.

CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

**STIPULATION AND ORDER
TO CONTINUE SENTENCING FOR
CONSOLIDATED CASES**

FINDINGS OF FACT

1. The parties agree to the continuance.
2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation of a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No. 15. Sentencing in this case is currently scheduled for February 14, 2023 at 10 a.m.
3. On June 27, 2022, as the result of an unopposed motion (ECF 21), this Court issued an order granting the consolidation of the matter in Case No. 2:21-cr-00226-JCM-NJK into the instant case. Case No. 2:21-00226-JCM-NJK; ECF No. 68 and Case No. 2:21-cr-00328-GMN-DJA-1; ECF No. 22
4. On December 6, 2022 Ms. Mandujano Sanchez pleaded guilty to one count of Conspiracy to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846 in Case No. 2:21-cr-00226-GMN-NJK. ECF. 89. Sentencing was scheduled for February 14, 2023 at 10 a.m. *Id.*
5. Defense counsel's ability to effectively and thoroughly explore all factors relevant to Ms. Mandujano Sanchez's mitigation and sentencing presentation requires additional

1 time to prepare. Counsel are utilizing expert services in preparation for sentencing and
2 said expert requires additional time due to competing schedule obligations, which were
3 exacerbated due to health issues that set them behind schedule in December 2022.

4 6. Additionally, Mr. Hernandez, who is representing Ms. Mandujano pro hac vice on the
5 importation portion of the case, has scheduling conflicts on the current date and anticipates
6 he will be going to trial the first half of March 2023. He also resides out of state and travel
7 to Las Vegas is compatible for him with the current sentencing date.
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9 7. This is the third request for a continuance of the sentencing in Case No. 2:21-cr-00328-
10 GMN-DJA and the first request for a continuance of sentencing in case No. 2:21-cr-
11 00226-GMN-JCA. The additional time requested herein is not sought for purposes of
12 delay. No further continuances are anticipated.
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14 8. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez
15 sufficient time to effectively and thoroughly prepare for sentencing, taking into account
16 due diligence. Accordingly, a denial of this request for continuance could result in a
17 miscarriage of justice.
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19 9. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuances.

20 **CONCLUSION OF LAW**

21 For all the above-stated reasons, the ends of justice are served by granting the requested
22 continuance for the following reasons: Additional time requested by this stipulation is
23 reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good
24 cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in
25 sentencing does not implicate or undermine the defendant’s speedy trial rights under the United
26 States Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016). Failure to grant
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1 the continuance would deny parties sufficient time to meaningfully continue to prepare for
2 sentencing, considering the exercise of due diligence. Accordingly, a denial of this request for
3 continuance could result in a miscarriage of justice.

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ,

Defendant.

CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

ORDER

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Ms. Mandujano Sanchez's sentencing hearing set for February 14, 2023, hereby is, VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for April 14, 2023, at the hour of 9:00 AM in courtroom 7D.

Dated this 6 day of Feb. 2022.

THE HONORABLE GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE